

FILED

JAN 24 2014

N.J. BOARD OF NURSING

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE
BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

ANA C. DE VRIES, L.P.N.
License # 26NP05136000

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

Administrative Action

**FINAL ORDER WITHDRAWING
PROVISIONAL ORDER
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Ana C. De Vries ("Respondent") is a licensed practical nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about May 4, 2011, Respondent completed and submitted an online biennial license renewal for the period of June 1, 2011 through May 31, 2013. The online renewal contains a question which asks "Will you have completed the required continuing education credits by May 31, 2011," referring to the biennial renewal period of June 1, 2009 through May 31, 2011. Respondent answered "yes" to the question, and certified that answer to be true by submitting the online application.
3. On or about April 10, 2012, the Board sent Respondent a Demand for Written Statement Under Oath (Demand) requesting information from Respondent. The

Demand requested that Respondent provide answers to ten questions, including a question which asked if she had completed the required continuing education courses, and requested that she provide proof of successful completion of all credits earned during the renewal period of June 1, 2009 through May 31, 2011.

4. As to the question concerning continuing education, Respondent did not provide proof of having completed the required thirty hours of continuing education for the renewal cycle of 2009-2011. Her response included a post test, a certificate of participation, and a handwritten chart of in-services she attended at the facility where she worked. The documentation submitted by Respondent does not include the number of hours awarded as continuing education, nor any indication that the courses were approved as continuing education by a credentialing agency.

CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3, a nurse shall complete a minimum of 30 hours of continuing education per biennial period. Falsification of any information submitted on the renewal application may result in penalties and/or suspension or revocation of the license. N.J.A.C. 13:37-5.3(a). Additionally, a registered professional nurse or licensed practical nurse shall maintain continuing education compliance documentation for a period of four years after completion of the hours and shall submit such documentation to the Board upon request. N.J.A.C. 13:37-5.3(f).

At the time of filing of the Provisional Order of Discipline, it appeared that Respondent failed to demonstrate, to the satisfaction of the Board, completion of the required thirty hours of continuing education for the biennial period of June 1, 2009 through May 31, 2011. Respondent failed to demonstrate completion of any hours of

continuing education during that time frame. The Board therefore found Respondent in violation of N.J.A.C. 13:37-5.3(b), which the Board deemed professional misconduct within the intendment of N.J.S.A. 45:1-21(e) and also constituted a violation or failure to comply with a regulation administered by the Board within in the intendment of N.J.S.A. 45:1-21(h).

Further, the Board preliminarily found that Respondent's submission of her 2011 renewal, wherein she answered affirmatively that she had completed, or would complete, the required continuing education, and subsequent failure to provide documentation of completion, constitutes the use or employment of dishonesty, deception, or misrepresentation within the intendment of N.J.S.A. 45:1-21(b). See also N.J.A.C. 13:37-5.3.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending Respondent's license to practice nursing in the State of New Jersey was entered on July 8, 2013 and a copy served on respondent. The Provisional Order was subject to finalization by the Board at 5 p.m. on the 30th business day following entry unless respondent requested for modification or dismissal setting forth in writing any and all reasons why said finding and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

In response to the Provisional Order of Discipline, Respondent provided certificates of completion indicating that Respondent had completed the required thirty hours of continuing education within the appropriate time frame.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that the Provisional Order of Discipline should be withdrawn in its entirety.

ACCORDINGLY, IT IS on this 24th day of Jan., 2014,

ORDERED that:

1. The Provisional Order of Discipline filed on July 8, 2013 is hereby withdrawn in its entirety.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy P.D. APRN, FAAN
Patricia Murphy, PhD, APN
Board President